

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

SHINDLE
CHAD J. ~~SCHINDLE~~
TX-1334490-T

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DOCKETED COMPLAINT NO.
06-158

AGREED FINAL ORDER

On this the *27th* day of *JUNE*, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the authorization of Chad J. Schindle (Respondent).

In order to conclude this matter, Chad J. Schindle neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent Chad J. Schindle is a Texas authorized appraiser trainee, holds authorization number TX-1334490-T, but did not hold a current authorization during the time period material to the facts in this case.
2. On or about May 1st, 2006, Respondent appraised real property located at 2117 Shari Lane, Garland, Texas 75043 ("the property").
3. Toni Rowe filed a complaint with the Board alleging that the appraisal report Respondent performed on the property was deceptive and misleading and contained numerous errors, miscalculations and oversights.
4. On or about June 19th, 2006 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Respondent's response to the complaint was received.
6. Respondent has engaged in real estate appraisal activity for which a license, certification, authorization or registration is required by inspecting, measuring and photographing the property.
7. Respondent failed to disclose that he was not a real estate appraiser and held no license, certification, authorization or registration with the Board to conduct appraisal activity.

CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.
2. Respondent violated 22 TEX. ADMIN. CODE §153.37(c) by engaging in real estate appraisal, appraisal practice, or any appraisal related activity for which a certificate or license is required.
3. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations or omissions of material fact.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent shall:

- a. Have his authorization suspended for twelve months with this suspension being fully probated under the following conditions:
 - i. During the entire twelve month suspension Respondent shall submit on a form prescribed by the Board, an appraisal experience log to the Board every three months. The log shall detail all real estate appraisal activities he has conducted during the previous three month period. This experience log shall be signed by Respondent and co-signed by Respondent's sponsoring appraiser and contain a notarized affidavit attesting that the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of his appraisal reports and work files for any appraisal assignments he performs during the course of his period of probation within twenty days of notice of any such request;
 - ii. Respondent shall timely with all the terms of this Order;
- b. Attend and complete a minimum, 15 classroom-hour course in USPAP;
- c. Pay an administrative penalty of \$1,500.00, the payment of which shall be fully probated provided that Respondent timely complies with all terms of this Order and,
- d. Comply with all provisions of the Act, the Rules of the Board, and USPAP in the future, or be subjected to further disciplinary action.

ALL CLASSES required by this Agreed Final Order must be classes approved by the Board and must be completed within **SIX MONTHS** of the date of this Order and documentation of attendance and successful completion of the educational requirements of this Order shall be delivered to the Board on or before the end of the six-month period indicated. None of the classes or seminars required by this Order

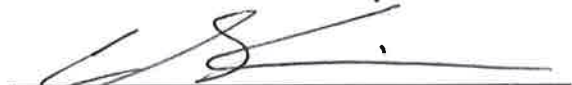
may be taken through correspondence courses. Unless otherwise noted above, all classes must be in-class, have an exam, and Respondent must have a passing grade on the exam given in each class. None of these required classes will count toward Respondent's continuing education requirements.

Failure to timely comply with any of the terms of this Final Agreed Order shall result in initiation of a contested case proceeding against Respondent and after opportunity for a hearing, possible imposition of disciplinary sanctions against Respondent as provided for by TEX. OCC. CODE § 1103.518, including, but not limited to possible revocation of the above-noted probated suspension and imposition of the probated administrative penalty.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published in the Board's newsletter and/or on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 18 day of June, 2008.



CHAD J. SCHINDLE

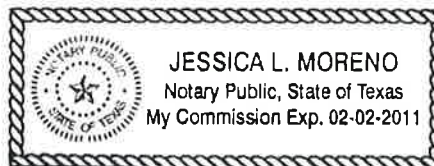
SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 18 day of June, 2008, by CHAD J. SCHINDLE, to certify which, witness my hand and official seal.




Notary Public Signature

Jessica L. Moreno

Notary Public's Printed Name



Signed by the Commissioner this 27th day of June, 2008.


Timothy K. Irvine, Commissioner
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 27th day of JUNE, 2008.

A handwritten signature in blue ink, appearing to read "Clinton P. Sayers", is written over a horizontal line.

Clinton P. Sayers, Chairperson
Texas Appraiser Licensing and Certification Board